

## Academic Supervisor Fact Sheet

### Compliance with Department of Labor Increase in Minimum Salary Threshold: Salary Scale Increases and Reclassification to Nonexempt Academic Appointees

The Department of Labor is changing the minimum salary required to achieve the professional exemption from FLSA overtime eligibility requirements. The minimum salary required to achieve exempt status will be \$47,476/yr which equates to \$913 per week effective December 1, 2016.

#### **Salary Scale Increases**

Beginning on November 20, 2016, the salary scales for Assistant Specialist, Steps 1 and 2, and for Coordinators of Public Program I, Steps 1 and 2, will be raised above the DOL threshold of \$47,476 per year so full-time appointees in those series will remain exempt. As of October 21, 2016, UCSD had no appointees in these titles at these steps.

UCOP was able to reach an agreement with the DOL regarding the salary threshold for academic year Academic Coordinator I, Steps 1-3, resulting in no change to that scale. Because the current salary level when adjusted for 12-months is greater than \$47,476, DOL agreed that it meets the threshold.

The Office of Postdoctoral & Visiting Scholar Affairs will publish information about postdoc salary scale changes. <http://postdoc.ucsd.edu/>

#### **Affected Titles: Change to Non-Exempt Status (Positive Time Reporting)**

Beginning on November 20, 2016, non-instructional academic appointees who are currently exempt from earning overtime will be reclassified as non-exempt (eligible to earn overtime) because their earnings fall below the new Department of Labor overtime threshold of \$913 per week (monthly exempt salaried employees must be paid at least \$3,956.34 per month to remain exempt).

All Junior Specialists (Visiting Graduate Students at UCSD) will be converted non-exempt, biweekly paid. Part-time appointees in the following academic series whose earnings do not meet the DOL threshold will also be converted to non-exempt, biweekly paid:

Research Scientist	Project Scientist
Specialist	Postdoc
Academic Administrator	Academic Coordinator
Coordinator of Public Program	Non-Represented Librarian
Non-Faculty Recall	

[New title codes](#) have been created for non-exempt academic appointees in the above academic series. Appointees determined to be non-exempt must be appointed in the appropriate non-exempt version of their title effective November 20, 2016. New non-exempt [salary scales](#) have been issued reflecting hourly rates.

For future appointees, the DOL salary threshold test must be performed to determine the FLSA exemption status. Refer to the [DOL Threshold Percent Effort chart](#) to determine the minimum appointment percentage to qualify for exempt status.

## **Biweekly Pay and Time Reporting**

1. Beginning November 20, affected employees will change from being paid on a monthly basis to a biweekly basis paid an hourly rate.
  - a. These appointees will receive their last monthly (salary based) paycheck on December 1. This will be a partial paycheck for the period November 1 through November 19.
  - b. They will receive their first biweekly (hourly rate) paycheck on December 14, for hours worked and submitted for payment between November 20 and December 3.
  - c. Their second biweekly paycheck will be on December 28, for hours worked and submitted for payment between December 4 and December 17.
  - d. Thereafter, they will be paid every 2 weeks on Wednesday, according to UCSD's Biweekly [Payroll Calendar](#).
2. As hourly-paid employees, non-exempt appointees must record their time on a daily basis and submit timesheets to report their hours for each biweekly pay period, and the supervisor will be required to review and approve the hours reported every other week. **THE EMPLOYEE WILL NOT GET PAID UNLESS TIME IS REPORTED AND APPROVED IN THE CAMPUS TIMEKEEPING SYSTEM.**
3. Non-exempt appointees will be paid for all hours worked.
4. The work week is defined as Sunday through Saturday.
5. Time worked as well as vacation leave and sick leave hours taken must be recorded in increments of ¼ hour (15 minutes).
6. Overtime and time worked beyond appointment percentage:
  - a. Part-time appointees who work more than their stated appointment percentage, but less than 40 hours in a week, will receive pay for the extra hours (or partial hours) worked at their regular hourly rate.
  - b. A non-exempt appointee will receive pay at 1.5 times their regular hourly rate for any time worked in excess of 40 hours in a week, regardless of their appointment percentage.
  - c. Overtime will be compensated in pay unless your campus allows for compensatory time arrangements (comp time).
  - d. All overtime/additional time worked in excess of appointment percentage must be approved in advance by the supervisor.
    - i. If an appointee submits a timesheet that reports non-approved time, they must still be paid for that time.
    - ii. However, working unapproved overtime/additional time can be cause for disciplinary action. If an appointee is regularly working overtime/additional time, you should request a change to the individual's base appointment percentage.
7. Other compensable time for non-exempt appointees includes:
  - a. *Donning and Doffing*. Time spent changing into or out of protective clothing or engaging in special washing or cleaning procedures is considered time worked.
  - b. *Travel Time*. If the appointee does not have regular working hours, the supervisor will assign regular work hours for any workweek during which travel will occur for the purpose of identifying and tracking compensable travel time. The travel during the appointee's regular working hours is considered time worked. Travel time outside of the assigned regular work hours is not time worked, unless actual work is performed during that time.
8. *Rest Breaks*. The University makes accommodation for breaks during the work day. Meal breaks are not considered compensable time (e.g., a lunch break should not be recorded as time worked).